

(2) has already been formed for a purpose other than for obtaining insurance coverage under this chapter and that is described by Subsection (a)(2).

Sec. 706.004. RATES AND FORMS. Notwithstanding any other law, rates and forms for insurance coverage issued under this chapter are governed by Article 5.13–2.

Sec. 706.005. RULES. The commissioner may adopt rules as necessary to implement this chapter.

SECTION 4. Subsection (a), Section 2, Article 5.13–2, Insurance Code, is amended to read as follows:

(a) This article applies to all lines of the following insurance written under policies or contracts of insurance issued by an insurer authorized to engage in the business of insurance in this state:

- (1) general liability insurance;
- (2) residential and commercial property insurance, including farm and ranch insurance and farm and ranch owners insurance;
- (3) personal and commercial casualty insurance, except as provided by Subsection (b) of this section;
- (4) medical professional liability insurance;
- (5) fidelity and surety bonds other than criminal court appearance bonds;
- (6) personal umbrella insurance;
- (7) personal liability insurance;
- (8) guaranteed auto protection (GAP) insurance;
- (9) involuntary unemployment insurance;
- (10) financial guaranty insurance;
- (11) inland marine insurance;
- (12) rain insurance;
- (13) hail insurance on farm crops; ~~and~~
- (14) personal and commercial automobile insurance; *and*
- (15) *identity theft insurance coverage issued under Chapter 706.*

SECTION 5. This Act takes effect September 1, 2005.

Passed the Senate on April 26, 2005: Yeas 31, Nays 0; the Senate concurred in House amendments on May 12, 2005: Yeas 31, Nays 0; passed the House, with amendments, on May 9, 2005, by a non-record vote.

Approved May 20, 2005.

Effective September 1, 2005.

CHAPTER 103

S.B. No. 220

AN ACT

relating to the maintenance of records by a notary public.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 406.014, Government Code, is amended by adding Subsection (e) to read as follows:

(e) A notary public may maintain the records required by Subsection (a) electronically in a computer or other storage device.

SECTION 2. This Act takes effect September 1, 2005.

Passed the Senate on March 31, 2005: Yeas 30, Nays 0; the Senate concurred in House amendment on May 11, 2005: Yeas 31, Nays 0; passed the House, with amendment, on May 9, 2005, by a non-record vote.

Approved May 20, 2005.

Effective September 1, 2005.

CHAPTER 104

S.B. No. 272

AN ACT

relating to the creation of an oyster license moratorium program.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 76, Parks and Wildlife Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. OYSTER LICENSE MORATORIUM

Sec. 76.401. **OYSTER LICENSE MORATORIUM PROGRAM.** *The department shall implement an oyster license moratorium program to promote efficiency and economic stability in the oyster industry.*

Sec. 76.402. **ISSUANCE AND RENEWAL OF COMMERCIAL OYSTER BOAT LICENSES.** (a) *After August 31, 2005, the department may not issue or renew a commercial oyster boat license unless the person seeking to obtain or renew the license documents to the satisfaction of the department that the vessel for which the license is sought:*

(1) *is owned by the person;*

(2) *was licensed as a commercial oyster boat on the day the renewal was sought or at the end of the licensing period immediately preceding the period for which the license is sought; and*

(3) *is intended to be licensed and used as a commercial oyster boat.*

(b) *An applicant for a new or renewed commercial oyster boat license for a vessel must submit to the department with the license application:*

(1) *the United States Coast Guard certificate of documentation for the vessel, if the vessel is required by United States Coast Guard rules to be documented; and*

(2) *the certificate of number for the vessel as required by Chapter 31.*

Sec. 76.403. **OYSTER LICENSE MORATORIUM REVIEW BOARD.** (a) *The holders of commercial oyster boat licenses shall elect an oyster license moratorium review board of seven members.*

(b) *A member of the review board must be a holder of a commercial oyster boat license.*

(c) *The seven members of the review board must be selected to reflect the following geographical distribution according to the county of residence specified on the member's commercial oyster boat license:*

(1) *one member representing Orange, Jefferson, Chambers, and Harris Counties;*

(2) *two members representing Galveston County;*

(3) *one member representing Brazoria and Matagorda Counties;*

(4) *two members representing Calhoun, Aransas, Nueces, San Patricio, and Refugio Counties; and*

(5) *one member representing Kleberg, Cameron, and Willacy Counties.*